



Docket No. 300622001500

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL."

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on March 5, 2002.

Garee A. Haney
Garee A. Haney

TECH CENTER 1600/2900

MAR 15 2002

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Chaitan KHOSLA et al.

Serial No.: 09/867,845

Filing Date: May 29, 2001

For: DESIGN OF POLYKETIDE SYNTHASE
GENES

Examiner: To Be Assigned

Group Art Unit: 1633

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This application claims the benefit of the filing dates of provisional application serial numbers 60/207,331, filed May 30, 2000 and 60/237,382, filed October 4, 2000.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for

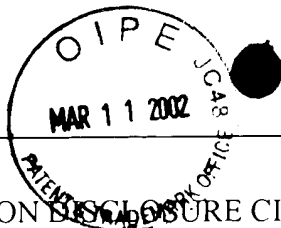
any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 300622005500. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: March 5, 2002

Respectfully submitted,

By: Brenda J. Wallach
Brenda J. Wallach
Registration No. 45,193

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-7961
Facsimile: (858) 720-5125



Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 300622005500	Application Number 09/867,845
	Applicant Chaitan KHOSLA et al.	
	Filing Date May 29, 2001	Group Art Unit 1633
	Mailing Date March 5, 2002	

RECEIVED
MAR 15 2002
TECH CENTER 1600/2900

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	09/1997	5,672,491	Khosla et al.	435	148	
	2.	01/1998	5,712,146	Khosla et al.	435	252.35	
	3.	10/1998	5,824,513	Katz et al.	435	76	
	4.	10/1999	5,962,290	Khosla et al.	435	183	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	5.	03/1995	WO 95/08548	WIPO			
	6.	12/1996	WO 96/40968	WIPO			
	7.	01/1997	WO 97/02358	WIPO			
	8.	06/1998	WO 98/27203	WIPO			
	9.	11/1998	WO 98/49315	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	10.	Cane et al., Science (1998) 282:63
	11.	Carreras and Santi, Curr. Opin. Biotech. (1998) 9:403-411
	12.	Fu et al., Biochemistry (1994) 33:9321-9326
	13.	Hutchinson, Curr. Opin. Microbiol. (1998) 1:319-329
	14.	Kao et al., Science (1994) 265:509-512
	15.	McDaniel et al., Science (1993) 262:1546-1555
	16.	Rohr, Angew. Chem. Int. Ed. Engl. (1995) 34(8):881-888

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/02 OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TECH CENTER 600/2900

MAR 15 2002

RECEIVED

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/867,845	
	Filing Date	May 29, 2001	
	First Named Inventor	Chaitan KHOSLA	
	Group Art Unit	1633	
	Examiner Name	To Be Assigned	
Total Number Of Pages In This Submission	5	Attorney Docket No.	300622005500

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Information Disclosure Statement; PTO form 1449; and 16 references	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Brenda J. Wallach Registration No. 45,193
Signature	<i>Brenda J Wallach</i>
Date	March 5, 2002

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 5, 2002.

Garee A. Haney
Garee A. Haney

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.